

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KENNIE CORREA,

Plaintiff

v.

THE MACERICH COMPANY, MACERICH MANAGEMENT  
COMPANY AND MACERICH PROPERTY MANAGEMENT  
COMPANY, LLC,

Defendants  
-----x

Docket No.: 08cv5410  
(JGK)

**DEFENDANTS' RULE 26  
DISCLOSURE STATEMENT**

**JUDGE ASSIGNED:  
HON. JOHN G. KOELTL**

Defendants, The Macerich Company, Macerich Management Company and Macerich Property Management Company, LLC (hereinafter "Macerich"), as and for its initial disclosure requirements of Rule 26(a)(1) of the Federal Rules of Civil Procedure, sets forth the following:

**Rule 26(a)(1)(A):** Provide the name and if known, the address and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying the subjects of the information.

**Response:** Individuals likely to have discoverable information include all parties of this litigation, all persons named in all discovery and investigations, all treating and examining doctors, family doctors of plaintiff, all medical personnel who have rendered care to the plaintiff in the last ten (10) years, custodians of plaintiff's medical, legal, criminal, educational and insurance claims, any and all members of the plaintiff's household, any and all participants in the "alleged fall" at issue in this lawsuit, investigating

personnel and/or police, all persons who investigated or prepared a record for any governmental unit in connection with the alleged incident, and any other individuals identified through ongoing pretrial discovery and examination and cross-examination of all parties and witnesses up to and including the time of trial in this matter.

**Rules 26(a)(1)(B):** Provide a copy of, or a description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the party that are relevant to disputed facts alleged with particularity in the pleadings.

**Response:** Defendants herein are not in possession of any documents relative to this incident at this time.

**Rule 26(a)(1)(C):** Provide a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

**Response:** Not applicable.


**Rule 26(a)(1)(D):** Provide for inspection and copying under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered into the action or to indemnify or reimburse for payments made to satisfy the judgment.

**Response:** Insurance coverage in this matter is afforded to Defendants The Macerich Company, Macerich Management Company and Macerich Property Management Company, LLC by Federal Insurance Company, in the amount of \$1,000,000, under policy number 35843703, with effective dates of April 25, 2007 through April 25, 2008.

Dated: White Plains, New York  
August 21, 2008

EUSTACE & MARQUEZ  
Attorney for Defendant,  
**THE MACERICH COMPANY, MACERICH  
MANAGEMENT COMPANY AND  
MACERICH PROPERTY MANAGEMENT  
COMPANY, LLC**  
1311 Mamaroneck Avenue  
3rd Floor  
White Plains, New York 10605  
(914) 989-6650

By:



Diane C. Miceli - 2625

TO:

Lynn Law Firm, LLP  
Walter F. Benson, Esq.  
Attorneys for Plaintiff, Kennie Correa  
802 M&T Bank Building  
101 S. Salina Street  
Syracuse, New York 13202

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KENNIE CORREA,

Plaintiff

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THE MACERICH COMPANY, MACERICH MANAGEMENT COMPANY AND MACERICH  
PROPERTY MANAGEMENT COMPANY, LLC,

Defendants

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EUSTACE & MARQUEZ  
Attorneys for Defendants  
**The Macerich Company, Macerich Management Company and Macerich  
Property Management Company, LLC**  
Office and Post Office Address  
1311 Mamaroneck Avenue  
3rd Floor  
White Plains, New York 10605  
(914) 989-6650